

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and Bernard L. Madoff,

Plaintiff,

v.

BAM L.P., MICHAEL MANN, and MERYL MANN,

Defendants.

No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04390 (CGM)

**DECLARATION OF NICHOLAS J. CREMONA IN SUPPORT OF  
TRUSTEE’S SUMMARY JUDGMENT MOTION FOR PREJUDGMENT INTEREST**

I, Nicholas J. Cremona, declare the following:

1. I am a Partner with the law firm of Baker & Hostetler LLP, counsel to Irving H. Picard, as trustee (“Trustee”) for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III, and the chapter 7 estate of Bernard L. Madoff. I submit this Declaration in support of the Trustee’s Summary Judgment Motion for Prejudgment Interest.

2. Attached hereto as Exhibit A is a true and correct copy of the Transcript of Oral Argument, *Picard v. BAM L.P.*, Adv. Pro. No. 10-04390 (SMB) (Bankr. S.D.N.Y. Sept. 26, 2018), ECF No. 110.

3. Attached hereto as Exhibit B is a true and correct copy of the Transcript of Oral Argument, *Solus Alt. Asset Mgmt. LP v. Delphi Automatic LLP (In re DPH Holdings Corp.)*, No. 14-2445 (RDD) (Bankr. S.D.N.Y. May 19, 2017), ECF No. 131.

4. Attached hereto as Exhibit C is a true and correct copy of the Transcript of Oral Argument, *Picard v. Marilyn Bernfeld Trust*, Adv. Pro. No. 10-05143 (SMB) (Bankr. S.D.N.Y. Oct. 28, 2015), ECF No. 20.

5. Attached hereto as Exhibit D is a true and correct copy of the Transcript of Oral Argument, *Picard v. The Estate (Succession) of Doris Igoi*, 10-04336 (SMB) (Bankr. S.D.N.Y. Aug. 6, 2014), ECF No. 112.

Pursuant to 28 U.S.C. § 1746, I hereby declare under penalty of perjury that the foregoing statements are true and correct.

Dated: October 15, 2020  
New York, New York

Respectfully submitted,  
  
BAKER & HOSTETLER LLP

By: /s/ Nicholas J. Cremona  
Nicholas J. Cremona